

FRISCHKNECHT & TERVORT
LAWYERS

50 NORTH MAIN STREET
MANTI, UTAH 84642

August 18, 1978

PAUL R. FRISCHKNECHT
LOUIS G. TERVORT

BUSINESS PHONE NO. 835-4391
OFFICE HOURS 9 to 5

Mr. Leo Gillespie
Fairview
Utah

Re: Dry Creek Irrigation Co.
vs. U. S. Organic Ferto Corp.

Dear Leo,

Please find enclosed two copies of an Answer and Counterclaim filed by the U. S. Organic Ferto Corp. I think the Answer and Counterclaim are self-explanatory, and you can read those.

As to the actual amounts of damages that they are claiming there, I think that you don't need to pay much attention to those.

The Court in signing the restraining Order also established a day for a hearing, when it can be determined whether or not the Restraining Order will be permanent, or whether it will be dismissed. The Court has set that on Friday, August 25, 1978 at 9:00 a.m.

It will be necessary for you to be present at that hearing, and it is also important that you and I discuss the matter prior to that time. I suppose it would be sufficient if you were to meet me in my office at 8:00 a.m. that day. In the meantime, if you are in Manti, or have occasion to come to Manti, it would be appropriate for us to discuss the Counterclaim contained herein, and our approach to the hearing on August 25th. I suggest that you forward one of the enclosed copies of the Answer and Counterclaim to your son, that he may be informed as to what is transpiring.

Yours very truly,



Paul R. Frischknecht

PRF:khk

P.S. --I believe it would be well for you to pay close surveillance to the road in question, and see what is transpiring during the time the Restraining Order